

Message Text

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63

ORIGIN L-02

INFO OCT-01 IO-10 ISO-00 MMS-01 EB-07 AID-05 OIC-02 DPW-01

SAJ-01 NIC-01 SAM-01 ACDA-05 CIAE-00 DODE-00 PM-03

H-01 INR-07 NSAE-00 NSC-05 PA-01 PRS-01 SP-02 SS-15

AF-06 ARA-06 EA-06 EUR-12 NEA-09 USIE-00 INRE-00

NSCE-00 SSO-00 /111 R

DRAFTED BY L/HR:CRUNYON:T:FCRAWFORD:RTG

APPROVED BY IO/ROBLAKE

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O R 202122Z PEB 75

FM SECSTATE WASHDC

TO USMISSION GENEVA IMMEDIATE

INFO USMISSION USUN NEW YORK

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E.O. 11652:GDS

TAGS: ECOSOC, SHUM

SUBJECT:HUMAN RIGHTS COMMISSION

REF: GENEVA 873

1. DEPARTMENT HAS NOTED THAT PARA 8C OF CONFIDENTIAL WORKING GROUP REPORT (E/CN.4/R.8), DOES NOT APPEAR REFLECT PRECISE MANDATE OF ECOSOC RESOLUTION 1503. RESOLUTION ESTABLISHES A PROCEDURE UNDER WHICH THE SUBCOMMISSION ON PREVENTION OF DISCRIMINATION AND PROTECTION OF MINORITIES REFERS CERTAIN "SITUATIONS" (N.B. SITUATIONS, NOT JUST COMMUNICATIONS) TO THE HUMAN RIGHTS COMMISSION FOR CONSIDERATION (SEE 1503 PARAS 5 AND 6). LANGUAGE OF RECOMMENDATION 8(C) IS ACCORDINGLY INACCURATE AND MISLEADING, SINCE THE COMMISSION AND ITS SUBORDINATE ORGANS, NOT THE COMPLAINANTS, MUST IN THE LAST ANALYSIS BE THE JUDGE OF WHAT IS AND IS NOT RELEVANT TO

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THE COMMISSION'S CONSIDERATION OF A SITUATION REFERRED TO
IT UNDER THE ECOSOC RESOLUTION.

2. IF USDEL CONCURS THAT RECOMMENDATION 8(C) WITH ITS
PRESENT LANGUAGE WILL LEAD TO CONFUSION AS TO INTENT
OF 1503 OR TO A PRECEDENT WEAKENING OR NARROWING ITS SCOPE,
IT SHOULD SEEK TO CONDITION ADOPTION OF REPORT ON SUB-
STITUTION OF "SITUATIONS" FOR "COMMUNICATIONS." KISSINGER

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NNN

*** Current Handling Restrictions *** n/a

*** Current Classification *** LIMITED OFFICIAL USE

Message Attributes

Automatic Decaptioning: X
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Disposition Date: 28 MAY 2004
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Disposition History: n/a
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Handling Restrictions: n/a
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05 JUL 2006

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TAGS: SHUM, ECOSOC
To: GENEVA INFO USUN NEW YORK
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